

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 14011 of Samuel J. and Sheila Lanaham, pursuant to Paragraph 8207.11 of the Zoning Regulations, for variances from the prohibition against allowing an addition to a dwelling which now exceeds the lot occupancy and height limitations (Paragraph 7107.21), the lot occupancy requirements (Sub-section 3303.1 and Paragraph 7107.23) and the side yard requirements (Sub-section 3305.1 and Paragraph 7107.22) for a proposed second floor addition to a semi-detached dwelling in an R-1-B District at premises 1824 - 24th Street, N.W., (Square 2506, Lot 45).

HEARING DATE: August 10, 1983
DECISION DATE: November 2, 1983

FINDINGS OF FACT:

1. The subject property is located on the west side of 24th Street, between S and California Streets, and is known as premises 1824 24th Street, N.W. It is zoned R-1-B.
2. The subject property is basically rectangular in shape. It is improved with a four-story stucco and brick semi-detached dwelling plus a one-story brick garage at the southwest corner of the lot adjacent to a twenty foot public alley. The lot slopes down from 24th Street towards the public alley for a change in elevation of approximately six feet.
3. The subject property is presently non-conforming with respect to the lot area, lot width, lot occupancy, number of stories and side yard requirements.
4. The required minimum lot area is 5,000 square feet. The subject lot contains 4,195 square feet.
5. The required minimum lot width is fifty feet. The subject lot is 33.33 feet wide.
6. The maximum allowable lot occupancy is forty percent, or 1,678 square feet for the subject lot. The existing lot occupancy is 1,904.63 square feet.
7. The maximum number of stories permitted is three. The existing building is four stories high.
8. Side yards of at least eight feet on each side are

required. The existing building has a side yard of 7.93 feet on its north side and has no side yard on its south side.

9. The subject lot is developed with a semi-detached dwelling in a district which is designed for and normally accommodates single-family detached dwellings. The subject lot is smaller and narrower than is provided for in an R-1-B District. The existing dwelling is 25.40 feet in width.

10. The applicants propose to extend and enclose an existing second story porch for use as a dining room. The existing dining room will be converted to a family room study. The proposed expansion will allow for an increase in the second story living area. The larger concentration of living space on one level will benefit the applicants, one of whom has restricted use of the stairs due to a history of back problems.

11. The existing second story porch is 187.07 square feet in area. Approximately 115 square feet of porch area is currently enclosed with wood and metal framed glazed walls and roof.

12. The applicants' proposal would increase the area of the porch by 155.28 square feet, for a total area of 342.35 square feet. The applicants propose to enclose 255.6 square feet of that area. The remaining 86.75 square feet is proposed to be an open wood deck at the rear of the dwelling.

13. The proposed construction would result in a lot occupancy of 2.059.91 square feet, an increase in lot occupancy of 3.32 percent over the existing lot occupancy of the site including the porch and garage.

14. All of the proposed construction, with the exception of two support columns, will occur at the second-story level. Because of the sloping topography of the site, the second-story of the dwelling is fourteen feet above grade at the rear of the dwelling.

15. The interior layout of the existing dwelling provides for a living room, dining room and kitchen on the second story level. The first story is devoted to an entry foyer, laundry room, boiler room, and guest bedroom. The third and fourth stories are devoted to bedrooms and baths.

16. The narrow width of the existing dwelling and the lot provide for minimal living space on each floor. There is inadequate interior space to allow for the expansion of the dining room or for a study. The existing non-conformity of the site precludes any exterior changes to the dwelling which would not require variance relief from the Board.

17. There was no opposition to the application at the public hearing or of record.

18. Advisory Neighborhood Commission 1-D took no position on the subject application

CONCLUSIONS OF LAW AND OPINION

Based on the foregoing findings of fact and the evidence of record, the Board concludes that the applicant is seeking area variances, the granting of which requires the showing of an exceptional or extraordinary condition of the property which creates a practical difficulty upon the owner. The Board concludes that the non-conformity of both the lot and the improvements, which pre-date the Zoning Regulations, and the topography of the site create an exceptional and extraordinary condition inherent in the property, which creates a practical difficulty upon the owners. The Board further concludes that the requested relief can be granted with out substantial detriment to the public good and with out substantially impairing the intent, purpose and integrity of the zone plan as embodied in the Zoning Regulations and Map. It is therefore ORDERED that the application is GRANTED.

VOTE: 3-1 (Carrie L. Thornhill, William F. McIntosh, and Charles R. Norris to grant; Lindsley Williams opposed to the motion; Douglas J. Patton not voting, not having heard the case).

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED BY:


STEVEN E. SHER
Executive Director

FINAL DATE OF ORDER: MAR 15 1984

UNDER SUB-SECTION 8204.3 OF THE ZONING REGULATIONS, "NO DECISION OR ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN DAYS AFTER HAVING BECOME FINAL PURSUANT TO THE SUPPLEMENTAL RULES OF PRACTICE AND PROCEDURE BEFORE THE BOARD OF ZONING ADJUSTMENT."

THIS ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER, UNLESS WITHIN SUCH PERIOD AN APPLICATION FOR A BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY IS FILED WITH THE DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS.

14011order/DON3